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~~CONFIDENTIAL~~

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MELQUIADEZ TULUD,

Defendant.

No. CR -12-00408 - DLJ (PSG)

**STIPULATION TO CONTINUE STATUS  
HEARING TO NOVEMBER 8, 2012;  
[] ORDER**

HONORABLE D. LOWELL JENSEN

**STIPULATION**

Defendant and the government, through their respective counsel, subject to the court's approval, hereby stipulate that the Court continue the status hearing in the above-captioned matter, presently scheduled for September 20, 2012, at 9:00 a.m., to November 8, 2012, at 9:00 a.m. The reason for the stipulation is as follows. Counsel for Mr. Tulud took an extended medical leave from July 25, 2012, until his return on August 27, 2012. Because of continuing health issues counsel is now working part time. Defense counsel has been working on preparing pretrial motions in the case of *United States vs. Luis Ruiz-Lopez*, case numbered CR-11-00749-LHK. The *Ruiz-Lopez, id.*, case is set to proceed to trial on September 21, 2012. The Government has provided the defense with discovery and in particular documents regarding the

1 loss amount. Defense counsel needs to have them analyzed. In addition, defense counsel needs  
 2 to review said documents with his client and additional time to confer with his client and  
 3 investigate his concerns. Lastly, counsel need additional time to negotiate a possible disposition  
 4 of the matter.

5 The parties further agree and stipulate that time should be excluded from and including  
 6 September 20, 2012, through and including November 8, 2012, to provide counsel reasonable  
 7 time to prepare, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

8 Accordingly, the United States and the defendant agree that granting the requested exclusion of  
 9 time will serve the interest of justice and outweigh the interest of the public and defendant in a  
 10 speedy trial.

11 Dated: September 14, 2012

12 /s/  
 13 MANUEL ARAUJO,  
 Assistant Federal Public Defender

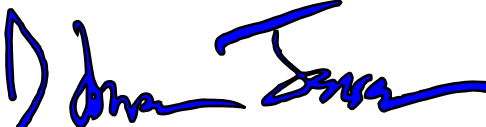
14 Dated: September 14, 2012

15 /s/  
 16 MEREDITH J. EDWARDS,  
 Assistant United States Attorney

17 **[] ORDER**

18 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status  
 19 conference hearing in the above-captioned matter is continued from September 20, 2012, at  
 20 9:00 a.m., to November 8, 2012, at 9:00 a.m. It is further ordered that the period of delay from  
 21 September 20, 2012, through and including November 8, 2012, be excluded for purposes of  
 22 Speedy Trial Act computations pursuant to Title 18, United States Code, Sections 3161(h)(7)(A)  
 23 and 3161(h)(7)(B)(iv).

24 Dated: JEP: JEG

25   
 HONORABLE D. LOWELL JENSEN,  
 United States District Judge